

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**RYDEX, LTD.**

**Plaintiff,**

V.

**MASTERCARD, INC., VISA, INC.,  
AMERICAN EXPRESS COMPANY,  
and  
DISCOVER FINANCIAL SERVICES**

### **Defendants.**

**CAUSE NO. 4:10-cv-00267**

## **JURY TRIAL DEMANDED**

**ORDER DENYING DEFENDANTS JOINT MOTION TO DISMISS**

Before the Court is the Joint Motion Of Defendants MasterCard And Visa To Dismiss Plaintiff's Amended Complaint For Patent Infringement Under Fed. R. Civ. P. 12(B)(6) in the above entitled cause. Having considered the Motion, the Court is of the opinion that it should be DENIED.

It is therefore ORDERED that Defendants Joint Motion To Dismiss is DENIED.